

17389. Misbranding of Smith's blood, liver, and kidney remedy. U. S. v. 35 Bottles of Smith's Blood, Liver, and Kidney Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 24617, 24618. I. S. Nos. 037429, 037430. S. Nos. 2970, 2971.)

On March 18, 1930, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 35 bottles of Smith's blood, liver, and kidney remedy, in part at Mason, Okla., and in part at Okemah, Okla., alleging that the article had been shipped by Health Aid Laboratories (Inc.), from Dallas, Tex., in 2 shipments on or about January 28, and February 4, 1930, respectively, and transported from the State of Texas into the State of Oklahoma, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs, potassium acetate, small amounts of magnesium sulphate, potassium iodide and salicylic acid, alcohol and water.

It was alleged in the libel that the article was adulterated (misbranded) in violation of section 8 of the said act in the case of drugs, in that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Blood, Liver and Kidney Remedy * * * This is the most wonderful medicine known for the treatment of all diseases arising from a disordered condition of the Blood, Liver and Kidneys, such as Rheumatism, Neuralgia, Catarrh, Piles, Diarrhea, Venereal Diseases, Chills, Fevers, Stomach and Bowel complaints, Dyspepsia, Indigestion, Constipation, Cleanses the Stomach, regulates the Bowels. For Malaria and Bilious Attacks, Backache, Lumbago, Swimming in Head, * * * Swollen Feet and Ankles, Gas, and Sour Stomach, Gouty Conditions and Dropsy Symptoms, High Blood Pressure, Influenza, Eczema, and is a perfect tonic. It is good for Female Complaints. * * * Smith's Famous Blood, Liver and Kidney Remedy overcomes intestinal sluggishness by causing a normal activity of the liver, increasing the flow of bile, equalizing the portal circulation, thus rendering its effect of a permanent nature, thereby helping to build up the general health. * * * Health Aid * * * This Famous Medicine is Guaranteed to give perfect satisfaction for diseases arising from a disordered condition of the Blood, Liver, Kidneys, and Stomach. * * * Directions: First day, for an adult should be two tablespoonfuls after each meal to start the bile from the liver to remove it from the stomach. * * * In treating Chills, Fevers, Malaria, etc., adults should take two or three tablespoonfuls every two hours until chills and fever stops. In bilious attacks, take two or three tablespoonfuls every two or three hours, * * * until the system is thoroughly cleansed. For children * * * in cases of chills, fevers, constipation, etc., * * * We, the Health Aid Laboratories, Inc., guarantee Smith's Famous Blood, Liver and Kidney Remedy to give perfect satisfaction in treating cases arising from a disordered condition of the Blood, Liver, Kidneys and Stomach. * * * Health."

On May 26, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17390. Misbranding of Dr. Kaufmann's sulphur bitters. U. S. v. 32 Bottles of Dr. Kaufmann's Sulphur Bitters. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24509. I. S. No. 012543. S. No. 2792.)

On February 7, 1930, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, praying seizure and condemnation of 32 bottles of Dr. Kaufmann's sulphur bitters, remaining in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped by A. P. Ordway & Co., from New York, N. Y., on or about July 16, 1929, and transported from the State of New York into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs including aloe, podophyllum, and a bitter drug such as gentian, a very small amount of sulphur, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the statement on the label, "Sulphur Bitters," was false and misleading, since there was but a minute amount of sulphur present in the said article. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "In obstinate cases of biliousness and costiveness;" (booklet) "Sickness and Its Cause. What is the greatest cause of sickness? * * * Poor, thin, vile, vitiated blood. * * * At times we see people who are dizzy and have fainting fits. These, when not attended to, will result in diseased brain. Now, dear readers, remember what I have told you: Eradicate from your blood all humors; keep it always in a pure condition, and it is then impossible for you to remain long unwell. Dr. Kaufmann's Sulphur Bitters will aid you to do this and keep your blood in a good condition. * * * General Wasting Away. How often we see many people thus afflicted. * * * The general symptoms of this disease are impaired digestion, loss of appetite; there is a gradual wasting away of the whole body, loss of strength, a languid feeling, hectic fever, difficult breathing, and sometimes a most severe cough. In children, worms will cause a general wasting away. In the last twenty years I have noticed this disease in the young of both sexes, where it has been caused by syphilis or other venereal taint, which has descended to them from their parents. Is not this a most terrible thing for parents to thus infect their own children? And where children are of a scrofulous habit, I have noticed an enlargement of the glands, with a costive state of the bowels, indigestion, appetite good one day and poor the next, pallid or flushed cheeks, emaciated limbs, swelling of the abdomen, and in a great many cases horrible eruptions would break out on the arms and thighs, and in fact all over the body. * * * In these cases * * * Dr. Kaufmann's Sulphur Bitters should be freely used; * * * Heartburn. This is a disease of the stomach * * * Use Dr. Kaufmann's Sulphur Bitters. * * * Retention of the Menses (Chlorosis or Green Sickness)—The non-appearance of the monthly evacuation at the natural period is called retention of the menses, and is followed sooner or later by serious ill health. * * * In this disease you should give Dr. Kaufmann's Sulphur Bitters. * * * Painful Menstruation, or Dysmenorrhoea * * * The discharge is scanty at first, and accompanied with grinding or bearing-down pains, which are sometimes as severe as, if not severer than, those of labor. * * * Profuse menstruation, or Menorrhagia—In an unhealthy state of the system the quality of menstrual fluid discharged may be increased to such an extent as to cause extreme debility * * * Leucorrhoea, or Whites (Fluor Albus)—Fluor Albus, or Whites, consists of a discharge from the vagina of a milky-white color. * * * Dr. Kaufmann's Sulphur Bitters should always be taken. * * * The Turn of Life. The final cessation of the menses is called the Turn of Life, or the critical period of life, * * * Thousands of ladies have sent me letters telling me what good Dr. Kaufmann's Sulphur Bitters have done them during this period. Scabies or Itch * * * Carbuncles * * * Dr. Kaufmann's Sulphur Bitters will aid * * * Chronic Diseases * * * Boils, Furunculus * * * Take a teaspoonful of Dr. Kaufmann's Sulphur Bitters night and morning * * * Pemphigus and Rupia * * * Dr. Kaufmann's Sulphur Bitters will help you. * * * Nursing Sore Mouth, Stomatitis Materna * * * Dr. Kaufmann's Sulphur Bitters Goitre—Bronchocele, or Thick Neck * * * Dr. Kaufmann's Sulphur Bitters Impetigo, Crusted Tetters or Scale * * * Dr. Kaufmann's Sulphur Bitters * * * Pimples * * * Take a teaspoonful of Dr. Kaufmann's Sulphur Bitters three times a day * * * Foul and Offensive Breath * * * likewise take Sulphur Bitters night and morning * * * Hidden Diseases * * * Dr. Kaufmann's Sulphur Bitters * * * Nervous diseases * * * Catarrh * * * A teaspoonful of * * * should be taken three times a day * * * Dyspepsia, or Indigestion * * * Jaundice * * * Sulphur Bitters acts like magic in jaundice * * * Piles * * * Dr. Kaufmann's Sulphur Bitters should then be used regularly * * * To Mill Operatives, Mechanics, Clerks, and All Employed Indoors * * * Ecthyma or Pushes * * * Take a teaspoonful of Dr. Kaufmann's Sulphur Bitters night and morning * * * Sick and Nervous Headache * * * Nightmare * * * Sleep * * * Salt Rheum * * * Keep right on using Dr. Kaufmann's Sulphur Bitters * * * Canker in the Mouth and Stomach,

or Thrush * * * The Blues * * * Mothers * * * Tinea Favus,
 or Scald-Head * * * Syphilis * * * Liver Complaint or Biliousness
 * * * Malaria, Fever and Ague, Intermittent Fever, or Shakes * * *
 Chronic Ulcers or Old Sores * * * St. Vitus' Dance * * * Rheumatism
 * * * Chronic Rheumatism * * * Hysteria or Hysterics * * *
 That Tired and All-Gone Feeling."

On May 26, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17391. Misbranding of Nip-a-Co capsules. U. S. v. 16 Dozen Packages of Nip-a-Co Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24619. I. S. No. 022895. S. No. 2968.)

On March 15, 1930, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 dozen packages of Nip-a-Co capsules, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Frederick Stearns & Co., from Detroit, Mich., on or about December 4, 1929, and transported from the State of Michigan into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetphenetidin (1.1 grains per capsule), acetylsalicylic acid, cinchonine, capsicine, resins, camphor, and mydriatic alkaloids.

It was alleged in the libel that the article was misbranded in that it contained acetphenetidin, a derivative of acetanilide, and its derivation was not stated on the label. Misbranding was alleged for the further reason that the statement appearing on the carton label, namely, "A rational treatment for the relief of * * * neuralgia, la grippe," was false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 17, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17392. Misbranding of Stone's capsules. U. S. v. 137 Cartons of Stone's Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24190. I. S. No. 04851. S. No. 2418.)

On October 30, 1929, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 137 cartons of Stone's capsules, remaining in the original unbroken packages at Jasper, Tex., alleging that the article had been shipped by Allen & Co., St. Louis, Mo., on or about August 27, 1929, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained acetanilide, cinchonine, caffeine, and extracts of plant drugs including a laxative drug.

It was alleged in the libel that the article was misbranded in that the following statement appearing on the label, regarding the curative and therapeutic effects of said article, was false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "An aid in treating Lagrippe (and) Flu."

On April 24, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17393. Misbranding of Ponca compound. U. S. v. 11 Boxes of Ponca Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24721. I. S. No. 037326. S. No. 3071.)

On April 14, 1930, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation.